

JAP:JRL

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

12 M 654

- - - - -X

UNITED STATES OF AMERICA

- against -

ROGER DURAN,

Defendant.

PRE-ARRAIGNMENT

C O M P L A I N T

(21 U.S.C. §§ 952(a)
and 960)

- - - - -X

EASTERN DISTRICT OF NEW YORK, SS:

JOHN MOLONEY, being duly sworn, deposes and states that he is a Special Agent with the United States Department of Homeland Security, Homeland Security Investigations, ("HSI"), duly appointed according to law and acting as such.

Upon information and belief, on or about July 10, 2012, within the Eastern District of New York and elsewhere, defendant ROGER DURAN did knowingly, intentionally and unlawfully import into the United States from a place outside thereof cocaine, a Schedule II controlled substance.

(Title 21, United States Code, Sections 952(a) and 960).

The source of your deponent's information and the grounds for his belief are as follows:^{1/}

^{1/} Because the purpose of this Complaint is to state only probable cause to arrest, I have not described all the relevant facts and circumstances of which I am aware.

1. On July 10, 2012, defendant ROGER DURAN arrived at John F. Kennedy International Airport in Queens, New York, aboard Jet Blue Airlines Flight No. 830 from Santiago, Dominican Republic.

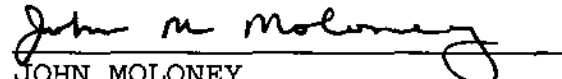
2. A Customs and Border Protection ("CBP") officer noticed that defendant ROGER DURAN's ticket was purchased on the same day as his trip.

3. Defendant ROGER DURAN admitted shortly thereafter that he had swallowed 75 pellets of what he believed to be cocaine. The defendant ROGER DURAN was presented with an x-ray consent form, which he signed.


4. The defendant ROGER DURAN was transported to the medical facility at John F. Kennedy International Airport, where an x-ray was taken of defendant's intestinal tract, which was positive for foreign bodies. On July 10, 2012, at approximately 6:22 a.m., defendant ROGER DURAN passed 8 pellets, one of which was probed, and revealed a white powdery substance. That substance field-tested positive for cocaine. The defendant was placed under arrest.

5. Defendant ROGER DURAN will be detained at the JFK medical facility until such time as he has passed all the pellets contained within his intestinal tract.

WHEREFORE, your deponent respectfully requests that
defendant ROGER DURAN be dealt with according to law.


JOHN MOLONEY
Special Agent, HSI

Sworn to before me this
10th day of July, 2012


THE HONORABLE
UNITED STATES
EASTERN DISTRICT OF
S/Azrack